

NOT FOR PUBLICATION

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

DANIEL R. DIBIASE,

Plaintiff

V.

WARDEN RICHARD T. SMITH,  
*et al.*,

Defendants

Civ. No. 21-2679 (RMB/SAK)

## OPINION

On February 16, 2021, the Court received a prisoner civil rights complaint and application to proceed without prepayment of filing fees from Plaintiff, Daniel R. Dibiase, a pretrial detainee at Cumberland County Jail. (Compl., Dkt. No. 1.) Prior to the Court's review of the complaint, legal mail sent to Plaintiff on March 8, 2021, was returned to the Court as undeliverable. (Dkt. No. 2.) Plaintiff has not notified the Court of his new address.

## I. DISCUSSION

Local Civil Rule 10.1(a) provides, in relevant part:

unrepresented parties must advise the Court of any change in their . . . address[es] within seven days of being apprised of such change by filing a notice of said change with the Clerk. Failure to file a notice of change may result in the imposition of sanctions by the Court.

Dismissing a complaint without prejudice is an appropriate remedy for noncompliance with this rule. See *Archie v. Dept. of*

Corr., Civ. No. 12-2466 (RBK/JS), 2015 WL 333299, at \*1 (D.N.J. Jan. 23, 2015) (collecting cases). Plaintiff has not provided the Court with a notice of his change of address.

## II. CONCLUSION

The Court will dismiss this Complaint without prejudice pursuant to Local Civil Rule 10.1(a), subject to reopening upon Plaintiff's timely notice of his new address.

An appropriate order follows.

**Dated: June 14, 2021**

s/Renée Marie Bumb  
**RENÉE MARIE BUMB**  
**UNITED STATES DISTRICT JUDGE**